
DIGEST

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Sam Jones

HB No. 786

Abstract: Revises the appointment process and membership of the board of commissioners of the Morgan City Harbor and Terminal District.

Present law provides for the appointment and composition of the Morgan City Harbor and Terminal District Board of Commissioners as follows:

- (1) Provides that the board shall consist of nine members, who shall be citizens of the U. S. and qualified voters and taxpayers within the limits of the district during their term of office.
- (2) Provides that the commissioners shall be appointed by the governor, five of whom shall be appointed for terms of one, two, three, four, and five years from a list composed of three names submitted by each of the following to the governor:
 - (a) The governing authority of the city of Morgan City.
 - (b) The governing authority of the town of Berwick.
 - (c) The police jury of St. Mary Parish.
 - (d) The Lions Club of Berwick, Louisiana.
 - (e) The Rotary Club of Morgan City, Louisiana.
 - (f) The Morgan City/Berwick Junior Chamber of Commerce.
 - (g) The Kiwanis Club.
 - (h) The East St. Mary Chamber of Commerce.
- (3) Provides that the remaining four commissioners shall be appointed by the governor, without recommendations, for six, seven, eight, and nine years, two of which appointments shall be of persons living and residing in the 9th Ward of St. Mary Parish, Louisiana.
- (4) Provides that any vacancy in any original terms shall be filled by the governor in the same manner as the appointment was originally made for the unexpired term. Any vacancy occurring due to expiration of the original term shall be filled by the governor in the same manner as above provided for the term of nine years.

Proposed law repeals present law and provides instead, the following:

- (1) Two members shall be appointed by the mayor and council of the town of Berwick.

- (2) Two members shall be appointed by the mayor and council of the city of Morgan City.
- (3) Two members shall be appointed by the parish president and council of St. Mary Parish.
- (4) Three members shall be appointed by the governor, one each, from a list of three names submitted by the other appointing authorities.

Proposed law provides that the appointing authorities, except the governor, provided for in proposed law shall provide notice to the public that there shall be an application and interview process for appointments to the board of commissioners of the district. Provides that interviews may be done in executive session, but the final nominations and appointments shall be done by open meeting. Provides that the appointing authorities required to submit a list of names to the governor may use any process they deem advisable to compile the list.

Proposed law provides that the terms of the initial appointees shall be concurrent with the terms of the appointing authority and thereafter the terms shall be for four years.

Proposed law provides that vacancies shall be filled in the same manner as the original appointment. Vacancies shall be filled within 90 days of notification to the appointing authority, from the board, of the existence of a vacancy. If the appointing authority does not fill the vacancy within the 90-day period, the governor shall make the appointment. These appointees shall meet the same qualifications as provided for in proposed law.

Proposed law provides that no board member shall serve more than two consecutive four-year terms; however, if an initial appointee's term is one year or less he may be reappointed for two four-year terms. Provides that a member who has served two consecutive four-year terms may apply for appointment to the board, provided four years have elapsed since the end of his last term.

Proposed law requires the board to submit an annual report to each of the appointing authorities no later than June first of each year. The report shall reflect the activities and the financial status of the district.

Present law provides that the commissioners shall serve without compensation; however, they may authorize the payment of a reasonable travel allowance for its members in the performance of their official duties, not to exceed the mileage reimbursement rate used by the Louisiana Legislature and reimburse its members for actual expenses incurred in the performance of their official duties on behalf of the district.

Present law further provides that the board may employ such officers, agents, and employees as it finds necessary in the performance of its duties, and it may prescribe the duties, powers, and compensation of the officers, agents, and employees. The board of commissioners may contract for legal, financial, accounting, engineering, consulting, and other professional services necessary or expedient in the conduct of its affairs, and it may utilize the services of other executive departments of the state.

Proposed law retains present law.

Proposed law provides that existing board members shall serve through the end of their term and provides for order of filling the vacancies.

(Adds R.S. 34:322.1; Repeals R.S. 34:322)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill.

1. Gives the governor three appointments to the board and takes away, one each, from the other three appointing authorities.
2. Removes provisions relative to the control of the Harry P. Williams Memorial Airport.